

10-25-06

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of:	: Examiner:
	:
GEORGE L. NAGLE	: BENA B. MILLER
	:
Serial No.: 10/807,855	: Group Art Unit No. 3714
	:
Filing Date: March 24, 2004	: Attorney Docket No.
	: FPI-102A
For: EGYPTIAN PYRAMID BOARD GAME	:

Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO REVIVE BASED ON UNINTENTIONAL ABANDONMENT

Applicant hereby petitions for the revival of the present application and withdrawal of abandonment on the basis that the abandonment was unavoidable. In support thereof, attached hereto are the following:

1. Certification of Kenneth P. Glynn in support of unavoidable abandonment;
2. Petition fee of \$ 750.00; and,
3. Proof of Notice of Allowance and previous payment of appropriate fees.

10/26/2006 RMEBRAHT 00000083 10807855

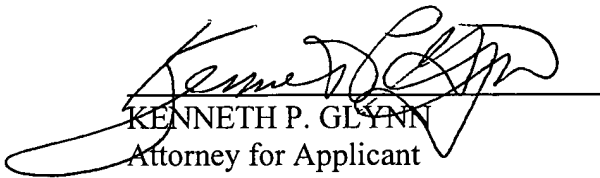
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750.00 OP

It is believed that the above attachments and enclosures adequately support a favorable resolution of applicant's Petition to Revive and an early and favorable response is earnestly solicited.

Respectfully submitted,

Dated: October 6, 2006



KENNETH P. GLYNN  
Attorney for Applicant  
24 Mine Street  
Flemington, NJ 08822  
(908) 788-0077 Tele  
(908) 788-3999 Fax

KPG/hub/KLS  
Cc: George Nagle  
EM RRR No. EQ 744572686 US



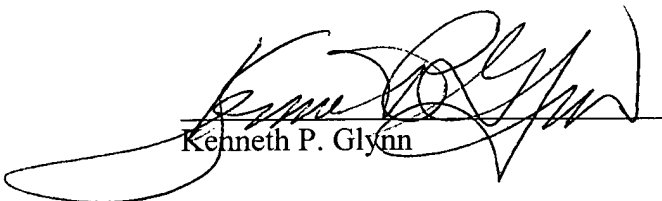
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CERTIFICATION OF MAILING BY EXPRESS MAIL

The undersigned hereby certifies that this document was delivered to the United States Post Office in Flemington, New Jersey 08822 between 7:30 a.m. and 4:30 p.m. Tuesday, October 24, 2006 as EXPRESS MAIL, RETURN RECEIPT REQUESTED. The undersigned further declares that this Certification is made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under applicable sections of United States Patent and Trademark Office and may jeopardize the validity of the application or issuing patent related thereto.

  
Kenneth P. Glynn

EM RRR No. ED 421095821 US  
(Docket No. FPI-102A)



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In re application of:	: Examiner:
GEORGE L. NAGLE	: BENA B. MILLER
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Alexandria, VA 22313-1450

DECLARATION OF KENNETH P. GLYNN

I, Kenneth P. Glynn, declare as follows:

1. I am a registered patent attorney, Registration No. 26,893.
2. I am principal in the firm of Glynn & Associates P.C., 24 Mine Street, Flemington, New Jersey 08822.
3. I am responsible for the prosecution of the above-identified United States Patent Application.
4. On or about November 10, 2005, I received a Notice of Allowance in the above-identified Patent Application.
5. In response to the Notice of Allowance, I had my secretary docket this on "Patent Mate" computerized docketing and sent a letter on November 10, 2005 to the client and discussed the Notice of Allowance with the client.

6. The Notice of Allowance included a drawing request (Notice of Draftsperson's Patent Drawing Review) that was unintentionally not docketed by the secretary who docketed the Notice of Allowance.

7. On November 30, 2005, the Notice of Allowance, the Issue Fee, and related fees transmittal was sent to the Patent Office with a Certificate of mailing by the undersigned. It was sent by Certified Mail and received by the Patent Office in a timely fashion. (However, a new set of corrected drawings was not included due to the docketing error.) A copy of all of the filed documents is attached hereto as Exhibit A.

8. As a result of the foregoing, the undersigned assumed that the payment of the issue fee and submission of the Notice of Allowance would result in receipt of a patent grant in due course.

9. Separately, the assignee of the record hired different patent counsel to pursue other patent matters and all of the Fourth Power Innovations, Inc. files including this one were retired. Upon recent inquiry of the issuance status by the client to the undersigned, an interoffice search revealed the notice of abandonment in a collection of low priority papers to be filed for retired files. As a result, this petition is being filed.

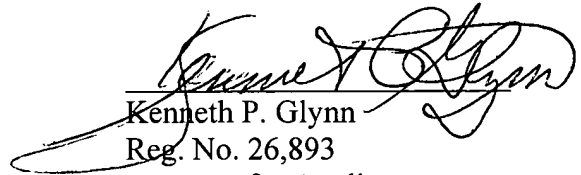
10. Based on the above, the undersigned represents that this application was abandoned unintentionally. Thus, it is respectfully requested that this Petition be granted and that the application be revived. In furtherance thereof, attached is hereto is the Submission Of Replacement Drawings with two sets of drawings.

11. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements

and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize that validity of the application or any patent issuing thereon.

Respectfully submitted,

Dated: October 6, 2006



Kenneth P. Glynn  
Reg. No. 26,893  
Attorney for Applicant  
24 Mine Street  
Flemington, NJ 08822  
(908) 788-0077 Tele  
(908) 788-3999 Fax

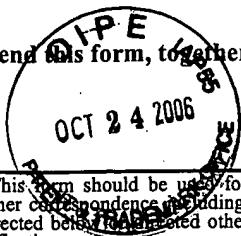
KPG/HUB/AMG

## PART B - FEE(S) TRANSMITTAL

EXHIBIT A

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (571) 273-2885



INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence, including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below. Indicate otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

11/07/2005

Kenneth P. Glynn, Esq.  
 Glynn & Associates, P.C.  
 24 Mine Street  
 Flemington, NJ 08822

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Michelle Harris	(Depositor's name)
<i>Michelle Harris</i>	(Signature)
November 30, 2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,855	03/24/2004	George L. Nagle	FPI-102A	5479

TITLE OF INVENTION: EGYPTIAN PYRAMIDS BOARD GAME

EQ RRR 259452981 US

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	02/07/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
MILLER, BENA B	3725	434-128000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Kenneth P. Glynn

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date November 30, 2005

Typed or printed name

Kenneth P. Glynn

Registration No. 26,893

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.